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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/595,687

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EXAMINER

SHAFI, MUHAMMAD

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/595,687	Applicant(s) KARLSSON, THOMAS	
	Examiner MUHAMMAD SHAFI	Art Unit 3663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,5,8-16 and 20-24 is/are pending in the application.
- 4a) Of the above claim(s) 1,4,5,13-16 and 20-24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-12 is/are rejected.
- 7) ☒ Claim(s) 8-12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5/4/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The communication is a Final Office Action, in response to the communication received on February 12, 2010.

Election/Restrictions

1. Applicant's election with traverse of election of Invention II corresponding to claims 8-12 for prosecution on merits filed on February 12, 2010 is acknowledged.
2. Claims 1,4-5,13-16 and 20-24 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected Invention, there being no allowable generic or linking claim. Election was made with traverse in the reply filed on February 12, 2010. Claims 2-3, 6-7 and 17-19 are cancelled. Therefore, Claims 8-12 are pending and have been considered below.

Applicant's election with traverse of invention II, in the reply filed on February 12, 2010 is acknowledged. The Applicant failed to provide any ground of traversal that the restriction is improper. The requirement is still deemed proper and is therefore made FINAL.

Response to Arguments

2. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection which has been necessitated by amendment.

Claim Objections

3. Claims 8-12 are objected to because of the following informalities:

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In claim 8, at line 1, the recited limitation "Portable electronic device" has an article "a" missing and it should be replaced by – A Portable electronic device--.

In claims 9-12, the recited limitation "Portable electronic device" should be replaced by –The Portable electronic device--.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. Claims 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wall et al. (USP 2003/0140056A1) in view of Campbell (USP 2004/0008225A1) and further in view of Nakano (USP 2002/0004701 A1).

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As Per Claim 8, Wall et al. (hereinafter Wall) teaches a Portable electronic device (via device 12, or 50 or 62, Figs.1-5) to at least partly organize data in relation to fix points of geographic locations(Abstract), comprising: a user input unit to receive user input data, (36, Fig.1 , [0017]) a positioning unit to determine a geographic location of a user,(30 , [0018]) at least one data receiving unit (34 , [0017], [0020] [0021] to receive a link to electronic media, in dependence of user control via the user input unit,(user interface 36, [0017], [0025]) and a control unit (via processor 42 in 14, Fig. 1) to receive a fix point (one or more geographical sites) associated with a geographic location, (via one or more geographical sites (i.e. longitude and latitude of user of points of interest), ([0025]) to receive the geographic location of the user from the positioning unit, ([0019-0023]) to associate the geographic location of the user with the fix point, ([0008], [0018]) to associate the electronic media with the fix point, [0008], [0018]).

However, Wall does not explicitly teach, where the electronic media is captured by the at least one data receiving unit prior to receiving the link, where the fix point is selected by the user prior to receiving the at least one link, and to receive the link from the fix point to the associated electronic media the link allowing the electronic media to be retrieved upon selection of the fix point. ([0026-0028])

In the same field of endeavor, Campbell teaches an apparatus and computer program for providing a graphical user interface with a linear component, a database comprising data representing the geographical and POI features in the covered region,

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first determining the desired location a data subset relating to it (is extracted from the database, formatted into a linear format, and displayed ([0085], at least lines 3-4), Figs. 1-2)

However, Nakano teaches a program for updating road information in map information providing system, wherein geographical data include link data representative of roads and node data representative of points.

Wall, Campbell and Nakano all teach accessing geographical map data. Wall teaches accessing geographical map data and displaying on the user device. However, Wall does not teach first receiving geographical map then receiving link. However, Campbell teaches first receiving geographical map data and Nakano teaches receiving geographical data having link included.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the graphical user interface with map teachings (computer program) of Campbell and updating road information teachings (i.e. program) of Nakano with the system of Wall and configure it with the system of Wall to access graphical user interface having incorporation of POI appear along the geo site. Motivation to combine the two is to facilitate the user's access to POI in a particular area (i.e., ease travel to a destination).

As per Claim 9, the combination of Wall , Campbell and Nakano teaches the limitation of Claim 8. However, Wall further teaches a Portable electronic device in which the control (via processor 42) unit further is to associate data captured, by the at

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least one data receiving unit, (via 46) at the geographic location of the user with the fix point ([0025]), Fig. 1).

As per Claim 10, the combination of Wall , Campbell and Nakano teaches the limitation of Claim 8. However, Wall further teaches a portable electronic device -further comprising: an information presentation unit, (via display 56) to present information by the control unit, under the control of the user.(display #56, [0021], [0022], Figs. 2A-2B).

As per Claim 11, the combination of Wall , Campbell and Nakano teaches the limitation of Claim 8. However, Wall further teaches a Portable electronic device further comprising: a memory unit, to store data received from the at least one data receiving unit under the control of the control unit (via storing the electronic media data in the memory 38 of the user information retrieval device 12, in memory within the remote computer 14, in a database 16, or in another memory medium. [0028]), Fig. 1).

As per Claim 12, the combination of Wall , Campbell and Nakano teaches the limitation of Claim 8. However, Wall further teaches a Portable electronic device , in which the portable electronic device is a mobile phone (via information retrieval device is a wireless telephone #50 , such as a cell phone , [0021], lines 9-12).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MUHAMMAD SHAFI whose telephone number is (571)270-5741. The examiner can normally be reached on M-F 8:30 AM -5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on (571)-272-6878. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ms/
Examiner
Art Unit 3663

/JACK KEITH/
Supervisory Patent Examiner, Art Unit 3663